

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Criminal No.
04-10318-RWZ

UNITED STATES OF AMERICA

v.

ALBERTO TAPIA

FURTHER ORDER ON EXCLUDABLE TIME

March 3, 2005

DEIN, M.J.

An Interim Status Conference was held before this Court on March 3, 2005. At that time, it was reported that the defendant's whereabouts remain unknown, that he cannot be located despite due diligence, and that it appears that the defendant is attempting to avoid apprehension. Therefore, in accordance with 18 U.S.C. §§ 3161(h)(3)(A) and (B) this court orders the following period of time excludable from the time period within which trial must commence:

March 3, 2005 until such time as the defendant is no longer absent or unavailable.

Based upon the prior orders of the court dated October 25, 2004, November 29, 2004, January 13, 2005 and this order, when this order expires there will be seven (7) days of non-excludable time under the Speedy Trial Act (November 22-28, 2004) and sixty-three (63) days will remain under the Act in which this case must be tried.

/ s / Judith Gail Dein
JUDITH GAIL DEIN

United States Magistrate Judge